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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION**

DIRECTV, INC., a California corporation,
Plaintiff,
vs.
MICHAEL MAXWELL, et al.,
Defendants.

Case No.: CIV-S-03-1029 MCE DAD
Hon. Morrison C. England, Jr.

[PROPOSED] ORDER DISMISSING DEFENDANT THOMAS H. VIA

Having read the Request for Voluntary Dismissal of Defendant THOMAS H. VIA filed herein by Plaintiff DIRECTV, Inc., and such other pleadings and papers deemed appropriate by the Court, and GOOD CAUSE appearing therefore, the Court ORDERS as follows:

1. This action is hereby dismissed without prejudice as against Defendant THOMAS H. VIA:

2. Each party shall bear its/his own attorney's fees and costs incurred in this action to date; and

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3. As Defendant THOMAS H. VIA is the last remaining active Defendant in this action, this entire action as to all remaining claims is hereby terminated in full.

DATED: May 12, 2005

MORRISON C. ENGLAND, JR
UNITED STATES DISTRICT JUDGE